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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,058	04/12/2004	Julio Estrada	LOT919990046US2	7224
27085	7590	01/18/2008		
IBM CORPORATION LOTUS SOFTWARE ONE ROGERS STREET CAMBRIDGE, MA 02142			EXAMINER TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	
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			01/18/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

mn

<b>Office Action Summary</b>	<b>Application No.</b> 10/825,058	<b>Applicant(s)</b> ESTRADA ET AL.	
	<b>Examiner</b> Mylinh Tran	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 and 8-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Double Patenting***

Claim1, 8-10 are rejected on the ground of nonstatutory double patenting over claims 1-9 of U. S. Patent No. 7,012,627 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:  
entering/leaving a room, moving the associated material from the side bar in a direction and displaying in the side bar of a room material selectively descriptive of other rooms only to which a user is authorized by access control lists for the other room.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Ludolph et al. [US. 5,943,053].

**As to claim 2**, Ludolph et al. teach a method for selectively displaying a plurality of rooms, comprising the steps of: displaying content material in a page of said room (figure 2, column 4, lines 32-67); displaying page associated material in a side bar of said room (figure 2, column 4, lines 35-50); responsive to entering a room, moving said associated material descriptive into said side bar from a first direction (column 6, lines 12-63); and responsive to leaving said room, moving said associated material from said side bar in a direction different from said first direction (column 8, line 52 through column 9, line 28).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludolph et al. [US. 5,943,053]

**As to claims 8 and 9**, Ludolph et al. teach displaying rooms from plurality of rooms (column 4, lines 51-67), each room including a page display and a corresponding side bar display (column 4, lines 12-50), comprising: removing side bar material corresponding to a first page display from said side bar in a first direction (column 6, lines 12-63) when leaving a first room in said plural rooms and inserting side bar material corresponding to a second page display into said side bar in said first direction when entering a second room higher in said plural of rooms (column 8, line 52 through column 9, line 28); and removing side bar

material corresponding to said first page display from said side bar in a second direction when leaving said first room in said plural of rooms and inserting side bar material corresponding to a third page display into said side bar in said second direction when entering a third room lower in said plural of rooms; thereby providing in said side bar a visual impression of respectively moving up or down said plural of rooms (column 9, lines 12-52).

Although Ludolph teaches multiple room organized his system, Ludolph fails to clearly teach or suggest the room being organized in a hierarchical manner. However, official notice is taken that implementation of hierarchy of rooms was well known in the computer art. It would have been obvious to one skill in the art, at the time the invention was made, to combine the well known implementation with the teachings of Ludolph et al.

Motivation of the combination is for the advantage to provide multi-level accessed security.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludolph et al. [US. 5,943,053] in view of Shaffer et al. [US. 7,065,785].

**As to claim 10**, Ludolph et al. teach displaying rooms from plurality of rooms (column 4, lines 51-67), each room including a page display and a

corresponding side bar display (column 4, lines 12-50), comprising:  
removing side bar material corresponding to a first page display from  
said side bar in a first direction (column 6, lines 12-63) when leaving a  
first room in said plural rooms and inserting side bar material  
corresponding to a second page display into said side bar in said first  
direction when entering a second room higher in said plural of rooms  
(column 8, line 52 through column 9, line 28); and removing side bar  
material corresponding to said first page display from said side bar in a  
second direction when leaving said first room in said plural of rooms and  
inserting side bar material corresponding to a third page display into said  
side bar in said second direction when entering a third room lower in said  
plural of rooms; thereby providing in said side bar a visual impression of  
respectively moving up or down said plural of rooms (column 9, lines 12-  
52).

Ludolph fails to clearly teach or suggest the hierarchy of rooms.

However, official notice is taken that implementation of hierarchy of  
windows was well known in the computer art. It would have been obvious  
to one skill in the art, at the time the invention was made, to combine the  
well known implementation with the teachings of Ludolph et al.

Motivation of the combination is for the advantage to provide multi-level  
accessed security.

Ludolph fails to clearly teach associating with each room in said  
hierarchy of rooms a respective access control list identifying users

authorized to view said room; displaying in said side bar of a parent room material selectively descriptive of child rooms only to which said user is authorized by access control lists for said child rooms;

However, Shaffer et al. teach associating with each room in said plural of rooms a respective access control list identifying users authorized to view said room (column 1, lines 30-55); displaying in said side bar of a parent room material selectively descriptive of child rooms only to which said user is authorized by access control lists for said child rooms (column 5, lines 10-56);

It would have been obvious to one skill in the art, at the time the invention was made, to combine the Shaffer's teaching with the teachings of Ludolph et al. Motivation of the combination is for the advantage of the security purpose.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

  
WEILUN LO  
SUPERVISORY PATENT EXAMINER